



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

JRE  
Docket No. 03039-03  
29 August 2003



This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 28 August 2003. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies.

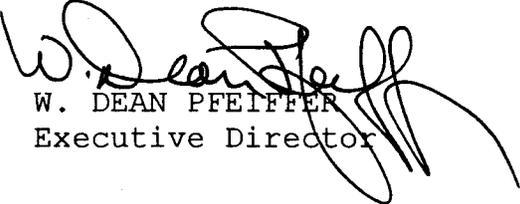
After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that although you were hospitalized for treatment of depression during the year before your discharge from the Marine Corps, your symptoms had resolved as of 26 February 1990, when you underwent a pre-separation physical examination. You were no longer taking any medication for depression at that time, and the physician who conducted the examination concluded that your depression had resolved, and that it was not disqualifying for service or discharge. The fact that the Department of Veterans Affairs (VA) awarded you a number of disability ratings effective the day following your discharge from the Marine Corps was not considered probative of the existence of error or injustice in your military record,

because the VA makes such awards without regard to the issue of fitness for military service. As you have not demonstrated that you were unfit for duty on 15 March 1990, the Board was unable to recommend any corrective action in your case. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

  
W. DEAN PFEIFFER  
Executive Director